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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 11 of 1991

with

CIVIL APPLICATION No 61 of 1991

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

THAKORBHAI NATHUBHAI PATEL

Versus

GANESHBHAI HARIBHAI PATEL

Appearance:

1. Appeal from Order No. 11 of 1991

MS VASUBEN P SHAH for Appellant No.

NOTICE SERVED for Respondent No. 1-2

2. Civil Application No. 61 of 1991

MS VASUBEN P SHAH for Appellant No.

MR BM MANGUKIYA for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 11/01/2005

ORAL JUDGEMENT

1. This Appeal from Order is preferred against the judgment and order dated 28th September, 1990, passed the 3rd Joint Civil Judge (S.D.) Surat, below Exh.5 in Special Civil Suit No. 315 of 1989, whereby the learned Judge has granted temporary injunction till the disposal of the suit.

2. Having perused the record, it appears that this Court while admitting the appeal had not disturbed the order of the Trial Court. However, the suit is of the year 1989 and, therefore, in the interest of justice, the Trial Court is directed to expedite the suit and shall disposed of the same within a period of one year from the date of the receipt of the writ of this Court. However, it is made clear that both the parties shall maintain status-quo till the final disposal of the suit.

3. With the above observations and directions, the Appeal from Order stands disposed of accordingly.

CIVIL APPLICATION No. 61 of 1991.

In view of the order passed in the main matter, no orders on this Civil Application. The Civil Application stands disposed of accordingly.

[K.S. JHAVERI, J.]

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